[Mr. P. Kumaran Ezhuthassan]

from a man who lives in the midst of agriculturists, knowing their difficulties. I do not go there in cars with ten miles of petrol consumption but on foot. I live with them, I know how they cultivate, I know what sort of cattle they have to cultivate, what is their capacity to manure the land, what is their capacity to divert water, though not an actual cultivator myself. With the knowlege I have, I give you this warning. Try to profit in time. It may be too late if you don't act in time. Let not the spectacle of starvation be hastened although it is almost at your doors with its open mouth burning with fire more than sufficient to consume the whole land inclusive of your capital.

മിസ്റ്റർ കെ. അയ്യപ്പൻ : സർ, ബഹുമാനപ്പെട്ട മെമ്പറുടെ ഉപദേശം ഈ കാര്യത്തിൽ സ്വീകരിക്കുന്നതിനു് ഒരു പ്രയാസവുമില്ല. ജോയിന്റ് എഫർട്ട് ആവശ്യമുള്ള സ്ഥലങ്ങളിൽ ചീഫർ അതിനു വഴിപ്പെടുന്നില്ലെങ്കിൽ അവരേയും കൂടി വഴിപ്പെടുത്തുവാനുള്ള ഒരു പഞ്ചായത്ത് മാത്രമാണ് ഈ ബില്ലിലുള്ളതു്. കോംകൊട്ടിവേഷൻ നടത്തുന്ന അവസരത്തിൽ ഇപ്പോഴും തന്നെ ജോയിന്റ് എഫർട്ട് നടക്കുന്നുണ്ടു്. അതുകൊണ്ടു് ഈ ബിൽ ബഹുമാനപ്പെട്ട മെമ്പർ പറഞ്ഞതുപോലെ വേഗം ആരംഭിക്കുകയില്ലെന്നു ഉറപ്പുതരുവാൻ സാധിക്കുമെന്നാണു് എനിക്കു പറയുവാനുള്ളതു്.

മിസ്റ്റർ പി. കുമാരനെഴുത്തച്ഛൻ : അനുഭവംകൊണ്ടു് അറിയുമാറാകട്ടെ.

Mr. K. Ayyappan *(Minister for Works):* The Cochin Irrigation Act (Amendment) Bill as modified by the Select Committee be taken into consideration.

Motion put and carried

Clause 2 was put and accepted.

Clause 1, title and preamble were put and accepted as part of the Bill.

Mr. K. Ayyappan *(Minister for Works):* Sir, I move that the Cochin Irrigation Act (Amendment) Bill be taken up and finally passed tomorrow.

Mr. M. Sivarama Menon *(Constitutional Adviser):* I second it.

Motion put and carried

3. The Cochin Payment of Salaries and Allowances Act (Amendment) Bill

Mr. P. Govinda Menon *(Prime Minister):* Sir, I move that the Cochin Payment of Salaries and Allowances Act (Amendment) Bill be read in Council.

Mr. M. Sivarama Menon *(Constitutionl Adviser):* I second it.

***Mr. P.Govinda Menon** *(Prime Minister):* Sir, The present Cochin Payment of Salaries and Allowances Act is sought to be amended in two respects, that is the amendment Bill. These amendments have been occasioned by the termination of Dewanship here, because in section 2 (a) of the existing Act it is stated that each Minister shall be entitled to travelling and daily allowances at such rates as the Diwan may be entitled to from time to time. Now that there is no Diwan in the State, it has become necessary to insert the daily allowance which each Minister is entitled to. When there was a Diwan, immediately before the last Diwan resigned office, the Diwan was drawing a daily allowance of Rs. 10—10—8 a day. Under the amending Bill it is sought to be fixed at the rate of Rs. 10 a day. That is one of the amendments. Then regarding daily allowance for journeys outside the State some provision has been made in this Bill. Previously the practice has been to enable the Ministers and certain other officers of the State who travel outside the State to draw actual expenses incurred by those officers. It was pointed out that the actual expenses rule is rather difficult to work out and it is much better if the daily allowances and travelling allowances and other amounts are fixed by statute. Previously the matter was decided by executive order of Government. The present Ministers felt that it is improper to do these things by executive order when these matters come under their control also. Therefore, a schedule has been introduced fixing the mileage, daily allowance, etc., of the Ministers. Then another particular in which this Bill is sought to be amended is with respect to the salary of the President. The salary of the President is sought to be raised under clause 2 of the amending Bill that is to say, section 3 (b) of the existing bill is sought to be replaced by this measure. I submit that the House may be pleased to pass this Bill.

*Speech not corrected by the Hon'ble Member.

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Mr. Parambi Lonappen *(Irinjalakkuda)*: Sir, I would like to know whether the Presidents of the Legislative Councils or assemblies in the provinces are provided with Government cars, not car allowances.

Mr. P. Govinda Menon *(Prime Minster)*: Information that we have received is that at least in Madras this is so. The car is provided by Government.

Mr. P. Kumaran Ezhuthassan *(Vadakancheri)*: Is it provided there in the same way as here that is, oil and petrol being found by Government, chaffeur too being provided by Government?

Mr. P. Govinda Menon *(Prime Minister)*: I want notice.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Sir, I am very reluctant to do what I am constrained to do. It is nothing much. I pray, Sir, that because of the environment in which we are placed today, this Bill may be kindly taken up tomorrow so that if one is foolish enough to move any amendment or wise enough—as far as I am concerned it is foolish—to think that amendments are necessary, to give them an opprortunity to move the necessary amendments. This may be taken up tomorrow with the rider that any amendments that are found necessary may be allowed to be given notice of at a fixed time before 6 O'clock today, not 5, because we will be held up here till 5 o'clock unless something unfortunate like yesterday takes place. Time may be allowed for giving notice of amendments till 6 O'clock.

Mr. President. Is the House agreeable to the suggestion?

Mr. P. Govinda Menon *(Prime Minister)*: Sir, I think that it may be accepted.

4 The Cochin Criminal Law Amendment Bill

Mr. President: Mr. P. Kumaran Ezhuthassan will continue his speech.

***Mr. P. Kumaran Ezhuthassan** *(Vadakkancheri)*: Sir, when the Criminal Law Amendment Bill was before this House last time, I was on my legs, then the House rose while making my humble observations on the Bill. Now, Sir, it so happened that that afternoon many an Hon'ble Member both of the Ministerialist block also were not in their seats. Deterred that not me, Sir, from doing my duty of making my own observations on the Bill. In that light with your leave, Sir, I may be allowed to review as briefly as possible what took place on that day.

I belive, Sir, I have the permission and with that I submit that the Hon'ble Chief Secretary to Government who fortunately or unfortunately happened to be the sponsor of the bill just went through the literal formula laid down in our rules for the introduction of Bills, namely, "I move that the Bill be read in Council" naming the name of the Bill and very conveniently sat down in his seat. I don't blame him for resuming his seat. Foolish me, Sir, I had even to exhort the Secretary through the Hon'ble Chair by a query whether the sponsor of this important measure has no words to support it. Queried I like that, Sir, and I am glad to note that our Chief Secretary, once a gem of our judiciary, from where he was disturbed and put into another, where he might not have fitted in as before in his judiciary bench. He offered to give explanations. A legal luminary that he was and herefore presumed to continue to be, gave his reasons in support of the Bill. I can safely take, therefore, Sir, that his arguments then given in support of the Bill were the very best that he had in support of the Bill or in other words that were the strongest throbs upon which he thought the would be able to support the super-structure of this most unwanted, mischievous, repressive piece of legislation. I take his arguments to be the strongest of his arguments and said then that there is nothing new in the measure before the House. It is literally true and he said that the Bill before the House is nothing other than the promulgated Act, XVIII of 1122, the Proclamation Act promulgated on the same day in the third week of Edavam. Yes, it is nothing other than the old Proclamation, old in the sense, older than the present measure, that is XVIII of 1122. A first class ground, because what is it that is before you, something which was with you all the while, but I have deliberately used some expressions. The Proclamation Act promulgating not an Act which went to the Statute Book after due process in this House of Legislature, that will make a difference and a lot of it said he then as I said before that there is nothing new but he immediately corrected himself by saying that it is not only the old Bill but something more

*Speech not corrected by the Hon'ble Member.

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